

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2021 JAN 28 AM 11:52

TABITHA WAKEFIELD,)
Plaintiff,)
v.)
PHIL SCOTT, T.J. DONOVAN,)
MATTHEW BIRMINGHAM, ZACHARY)
GAUTHIER, TOM MARSH, STEVEN)
NEILY AND CHRISTOPHER LORA,)
Defendants.)

CLERK
BY _____
DEPUTY CLERK

Case No. 5:17-cv-115

ENTRY ORDER

On January 28, 2021, the court held a status conference on the record with plaintiff and counsel for defendant Gauthier. The court advised Ms. Wakefield that two counts of her complaint (4 and 17) remain unresolved and that defendant Gauthier is prepared to agree to a judgment in Ms. Wakefield's favor on the issue of liability. The judgment would be for nominal damages of \$1.00. Ms. Wakefield seeks to appeal those portions of the court's order dated October 20, 2020 (Doc. 74) which granted judgment in favor of defendant Neily and Gauthier on most counts of her complaint.

The court will return to the issue of entering judgment for nominal damages (or not) after the state files a motion on this issue and after Ms. Wakefield has an opportunity to respond. In the meantime, the court has ordered the parties to engage in one more ENE session with Mr. Powers. The cost of that session will be paid in equal shares by both sides.

The ENE session shall be scheduled before April 1, 2021. If the case does not settle at ENE, defendant Gauthier's motion shall be filed by May 1, 2021. Ms. Wakefield shall respond by June 1, 2021. Any reply shall be filed by June 15, 2021.

Dated at Rutland, in the District of Vermont, this 28th day of January, 2021.


Geoffrey W. Crawford, Chief Judge
United States District Court